



**STEVEN
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ARCHITECT, PC

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November 30, 2020

Robert Silversmith, Esq.
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39 Broadway, Suite 910
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RE: STV 7.3 33GoldSt(SC,C,M,1-7,R),MH- Response to Plaintiff Report: Interiors

Dear Robert,

We are in receipt of Plaintiff Expert's report, dated November 16, 2020, regarding the interior conditions of the commercial units which we visited with Mr. Chen on October 22. We have reviewed the contents of the report and below are our comments:

The 6" step at the pedicure area may not be accessible, however pedicure services may also be provided in accessible portions of the space, so platform's accessibility may not be mandatory.

The approach to the bathroom, door maneuverability clearances, and bathroom layout are also not accessible. Some of the deficiencies may be improved, but the feasibility of widening the hallway is not known.

Asia Wok restaurant is vacant. A future tenant's layout would need to improve the door maneuverability at the entrance.

Mr. Chen describes the Wall Street Bath & Spa at the Cellar and Subcellar levels as not having an accessible entrance and the interior circulation as being not accessible. The Spa spans a large area below grade, and we understand that it utilizes different floor levels at different elevations in various areas of the building. There are approximately 10 different levels of occupied spaces within the Spa area, modification of which is considered not readily achievable because it would affect head clearances and building structural system. We also note that the Spa is considered a Physical Culture Establishment, the layout, use, and occupancy of which was approved by the Board of Standards and Appeals, and the alteration of which would require obtaining an amended approval, a process that is notoriously lengthy and expensive, adding to the complexity and difficulty of substantial work. We want to clarify that the Cellar level of the Spa is accessed by an elevator from the residential lobby above. The residential lobby is attended 24/7.

The access door maneuverability to Mr. Rafael's Cleaners and Tailoring is not accessible because of the insufficient width of the balcony. While structural modification of the balcony are not readily achievable for reasons described in a previous report, door maneuverability may be improved with a relocation of the storefront upon vacancy of the unit.

The Tandoor Palace bathroom and access approach are not accessible. We disagree with Mr. Chen's implication that the rear of the dining space must be accessible, since the same dining accommodations are provided in the accessible portion of the space. An accessible bathroom may be able to be provided in an accessible area of the layout, but it would reduce the dining area and requires an analysis and evaluation of the existing building systems to ascertain feasibility.



Benny's Thai Café, Isaak Fulton Haircutters and D&E Buyers and Jewelers are vacant commercial units at various levels. The entrances are not accessible, but may be improved when future tenants move in.

Mr. Chen summarizes his report that each commercial space may be made ADA compliant. We disagree with this generalization. The spaces are of different size, different configurations, and different states of occupancy. There are also conditions and circumstances that prevent complete conformance with ADA accessibility requirements at this time within readily achievable standards.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven Kratchman", with a stylized flourish at the end.

Steven Kratchman, AIA
Steven Kratchman Architect, P.C.

CC: Brad Thurman